

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Renate E. Postelmans,)
Plaintiff,) **ORDER**
vs.)
Detective Dustin Celandar of the Williston) Case No. 1:18-cv-214
Police Department,)
Defendant.)

On January 2, 2026, Plaintiff filed a “Request for Discovery Conference and/or Motion for Leave under Civ. L.R. 37.1.” (Doc. No.). Advising the court of a dispute regarding her Request for Production No. 15, she requests that the court schedule a status conference to discuss it or, alternatively, permit her to file a motion to compel.

On January 2, 2026, Plaintiff also filed a Motion to Compel. (Doc. No. 58). Therein she requests that the court issue an order compelling Defendant's to produce documents response to her Request for Production No. 15.

The court previously informed the parties that the following stems were to be undertaken prior to filing any discovery motions:

- (1) The parties are required to confer and fully comply with Rule 37(a)(1) of the Federal Rules of Civil Procedure and Local Rule 37.1 by undertaking a sincere, good faith effort to resolve all differences without court action or intervention.
- (2) In the event that all parties have made reasonable, good faith efforts to confer and attempt to resolve any differences, without success, the parties are then required to schedule a telephonic conference with the magistrate judge in an effort to try to resolve the discovery dispute prior to filing any discovery motions. The magistrate judge may require the parties to submit brief position statements prior to the telephonic conference.

- (3) If the discovery dispute is not resolved during the telephonic conference with the magistrate judge, the magistrate judge may permit filing of discovery motions. In connection with the filing of any such motions, the moving party must fully comply with all requirements of Rule 37(a)(1) and Local Rule 37.1 and must submit the certifications required by those rules.
- (4) The court will not hear any discovery motion unless the parties have made a sincere, good faith effort to resolve the dispute and all of the above-described steps have been strictly followed. A failure to fully comply with all of the prerequisite steps may result in a denial of any motion with prejudice and may result in an award of costs and reasonable attorney's fees.

(Doc. No. 22).

The court is not inclined to deviate from established procedure and permit Plaintiff to file a motion to compel without first participating in a status conference. Plaintiff's motion for leave to file a motion to compel (Doc. No. 57) is therefore **DENIED**. Plaintiff's Motion to Compel (Doc. No. 58) is **DENIED** without prejudice. Plaintiff's Request for Discovery Conference (Doc. No. 57) is **GRANTED**. The court shall schedule a telephonic status conference with the parties on January 16, 2026, at 9:30 AM to discuss the matter in dispute. To participate in the status conference, the parties should call (571) 353-2301 and enter 292466149 followed by # when prompted for the "Call ID."

IT IS SO ORDERED.

Dated this 5th day of January, 2026.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court